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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: Jesper Wengel et al.

Application No.: 09/152,059

Group No.: 1634

Filed: September 11, 1998

Examiner: J. Riley

For: OLIGONUCLEOTIDE ANALOGUES

☐ Patent No*:

Issued:

*NOTE: Insert name(s) of inventor(s) and title also for patent.



Assistant Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS):

As assignee of record of the entire interest of the above identified.

☒ application,

☐ patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

Peter F. Corless (Reg. No. 33,860)

Christine O'Day (Reg. No. 38,256)

David G. Conlin (Reg. No. 27,026)

Robert Buchanan (Reg. No. 40,927)

George W. Neuner (Reg. No. 26,964)

Lisa Swiszc (Reg. No. 44,368)

Linda M. Buckley (Reg. No. 31,003)

Peter J. Manus (Reg. No. 26,766)

Cara Z. Lowen (Reg. No. 38,227)

(check the following item, if applicable)

☐ Attached, as part of this power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Peter F. Corless
Dike, Bronstein, Roberts & Cushman, LLP
130 Water Street
Boston, MA 02109

Peter F. Corless (617) 523-3400

Customer No.:

EXIQON A/S

(type or print identity of assignee of entire interest)

Bygstubben 9

Address

2950 Vedbaek, DENMARK

- ☒ Recorded in PTO on February 16, 1999
Reel 9763
Frame 0784
☐ Recorded herewith

ASSIGNEE STATEMENT

Attached to this power is a "STATEMENT UNDER 37 C.F.R. § 3.73(b)."

Date Aug 3, 1999

Signature

MIKAEL OERLUM

(type or print name of person authorized to
sign on behalf of assignee)

PRESIDENT & CEO

Title

NOTE: The assignee of the entire interest may revoke previous powers and be represented by an attorney of his or her selection. 37 C.F.R. § 1.36.

(check the following item, if it forms a part of this power of attorney)

- ☐ Added page—Authorization of attorney(s) to accept and follow instructions from representative.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. Wengel et al.

Application No.: 09 / 152,059

Group No.: 1634

Filed: September 11, 1998

For: OLIGONUCLEOTIDE

Examiner: J. Riley

ANALOGUES

Issue Date: _____

Patent*:

Issue Date: _____

Reexamination No.:

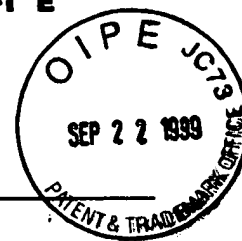
Issue Date: _____

Reissue:

* NOTE: Insert name(s) of inventor(s) and title for patent.

Assistant Commissioner for Patents

Washington, D.C. 20231



STATEMENT UNDER 37 C.F.R. § 3.73(b)—
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

☐ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature _____

Date: _____

(type or print name of person certifying)

*WARNING: Each paper or fee filed by Express Mail must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, . . . , patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18." Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

2. EXIQON A/S
Name of assignee
Corporation
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

PERSON AUTHORIZED TO SIGN

3. MIKAEL OERUM
(type name of person authorized to sign on behalf of assignee)
PRESIDENT & CEO
Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

[Author's Note: The requirement for an oath or declaration for this statement by a person not a registered practitioner was rescinded by the rules effective December 1, 1997.]

(complete the following, if applicable)

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

BASIS F ASSIGNEE'S INTEREST



Ownership by the assignee is established as follows:

A.

1. ☒ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at
Reel 9763, Frame 0784.
2. ☐ An assignment (document) separately being submitted for recordal herewith.

AND/OR

B. ☒ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: Jesper Wengel and Poul Nielsen
Name of inventor(s)

To: EXIQON A/S

Recorded in PTO: Reel
9763, Frame 0784

2. From: _____
Name of inventor(s) or assignee

To: _____

Recorded in PTO: Reel
_____, Frame _____

3. From: _____
Name of inventor(s) or assignee

To: _____

Recorded in PTO: Reel
_____, Frame _____

(check item below, and add details, if applicable)

- ☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

COPIES OF DOCUMENTS IN CHAIN OF TITLE

(complete this item, if copies are being sent)

- ☒ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	
<input checked="" type="checkbox"/> B	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3



(Signature of authorized person)

MIKAEL OERUM

(type or print name of authorized person)

PRESIDENT & CEO

Title of authorized person

Reg. No.:

SIGNATURE OF PRACTITIONER

Tel. No.: ()

(type or print name of practitioner)

Customer No.:

P.O. Address

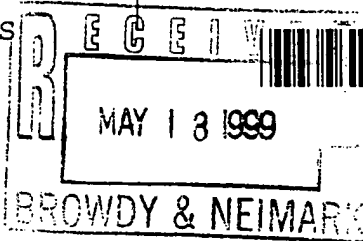


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 12, 1999

BROWDY AND NEIMARK, P.L.L.C.
IVER P COOPER
419 SEVENTH STREET, N.W.
SUITE 300
WASHINGTON, DC 20004

PTAS



100968005A



UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/16/1999

REEL/FRAME: 9763/0784
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
WENGEL, JESPER

DOC DATE: 07/12/1998

ASSIGNOR:
NIELSEN, POUL

DOC DATE: 11/12/1998

ASSIGNEE:
EXIQON A/S
BYGSTUBBEN 9
2950 VEDBAEK, DENMARK

SERIAL NUMBER: 09152059
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

02-22-1999

PATENTS ONLY

PATENTS ONLY

TO THE HONORABLE
Please record thisTRADEMARKS
or copy thereof

100968005

1. Name of conveying party(ies):

Jesper WENGEL (1)
Poul NIELSEN (2)

2. Name and Address of receiving party(ies):

Name: EXIQON A/SAddress: Bygstubben 9, 2950 Vedbaek
DENMARK

Additional name(s) of conveying party(ies) attached? [] Yes [XX] No

Additional name(s) & address(es) attached? [] Yes [XX] No

3. Nature of conveyance:

☒ Assignment☐ Change of Name☐ Other☐ Security Agreement☐ Merger

Execution Date: (1) July 12, 1998, (2) November 12, 1998

4. Application number(s) or patent number(s). If this document is being filed together with a new application, the execution date of the application is: _____ Date

A. Patent Application No.(s)

09/152,059

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

BROWDY AND NEIMARK, P.L.L.C.
419 Seventh Street, N.W.
Suite 300
Washington D.C. 20004

6. Number of applications and patents involved:

(1)

7. Amount of fee enclosed or authorized to be charged: \$40.00

8. Check no. 21188 in the amount of \$40.00 is attached.

Do Not Use This Space

02/17/1999 JSHABAZZ 00000353 09152059

01 FC:581

40.00 DP

9. Statement and Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Iver p. Cooper (Reg. No. 28,005)

Name of Person Signing

Signature

2/16/99

Date

IPC:lt

Total number of pages comprising cover sheet [01]

ASSIGNMENT

1- 922 1998		
MOR	IN	MHJ

WHEREAS I own all or part of an invention entitled

OLIGONUCLEOTIDE ANALOGUES

for which application for Letters Patent have been (check one)

() executed on even date herewith,

(XX) filed on September 11, 1998

as Serial No. 09/152,059

AND WHEREAS EXIQON A/S of Bygstubben 9, 2950 Vedbaek,
Denmark

(hereinafter ASSIGNEE) is interested in acquiring the entire interest in said invention:

NOW THEREFORE

1. For good and valuable consideration, the full receipt and sufficiency of which is hereby acknowledged, I hereby assign to ASSIGNEE all of my right, title and interest in the aforestated invention, in any draft applications based thereon, and in any application for Letters Patent which assignee at its expense may cause to be filed in the United States, under an international treaty, or in any foreign country, and in any United States or foreign patent or any other form of protection which may be granted on said invention, including any extensions, divisions, reissues, continuations or continuations-in-part, and in any rights of priority which I am entitled to assert.

2. I agree to execute, whenever requested by ASSIGNEE, all patent applications, assignments, lawful declarations, and other papers which ASSIGNEE may deem necessary or desirable for securing or maintaining said Letters Patent or other forms of protection; to provide ASSIGNEE with all pertinent facts and documents relating to said application as may be known and

Title: Oligonucleotide Analogues

accessible to me; and to testify as to the same in any legal proceeding related thereto; all without further compensation to me except for compensation of all reasonably incurred out-of-pocket expenses, and in an expeditious and conscientious manner.

3. I hereby authorize and request the patent office officials throughout the world to issue any and all Letters Patent(s) resulting from the aforesaid applications to ASSIGNEE, as ASSIGNEE of the entire interest assigned.

4. I hereby covenant and warrant that I have full right to convey the entire interest herein assigned, that I have not executed, and will not execute, any agreement in conflict therewith, and that I have and will comply with the duty of disclosure with respect to said application.

5. I hereby grant Iver P. Cooper, Reg. No. 28,005 a delegable power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

6. I hereby covenant and warrant that I possess some right, title and interest in said invention or in one or more of said draft applications, applications, patents or other forms of protection, that I have fully disclosed to ASSIGNEE all encumbrances, clouds or limitations upon my right, title and interest, in the United States and any foreign country, and that I have likewise disclosed to ASSIGNEE the identity of all other persons, natural or juristic, who possess or have claimed to

Title: Oligonucleotide Analogues

possess some right, title or interest in the foregoing; copies of said disclosures are appended to this Assignment and incorporated by reference therein.

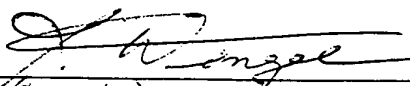
7. The terms and covenants of this assignment shall inure to the benefit of said ASSIGNEE, its successors, assigns and other legal representatives, and shall be binding upon my heirs, legal representatives and assigns.

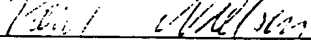
8. I recognize that this assignment of my rights in this application makes the ASSIGNEE the real party in interest with respect thereto and that the ASSIGNEE's interests will then be represented by the attorney(s) and/or agent(s) appointed by them to the exclusion of any of my personal interests which may conflict therewith. In the event of any dispute which I may have with ASSIGNEE over the subject matter of this assignment, I acknowledge that I will have to retain independent legal counsel with respect thereto at my own expense.

Assignment of Invention

4

Title: Oligonucleotide Analogues

Signature 
Date 07-12-1998 (December) Inventor Jesper WENGEL
Residence Odense S, Denmark Citizenship DK
Post Office Address Rugmarken 48, 5260 Odense S, Denmark

Signature 
Date 11-12-1998 Inventor Poul NIELSEN
Residence Odense SØ, Denmark Citizenship DK
Post Office Address Sneglehatten 9, 5220 Odense SØ, Denmark

Signature _____
Date _____ Inventor _____
Residence _____ Citizenship _____
Post Office Address _____

Signature _____
Date _____ Inventor _____
Residence _____ Citizenship _____
Post Office Address _____

NOTARIZATION

STATE OF _____)
COUNTY OF _____) ss:

Subscribed and sworn to before me this _____ day
of _____, 199__.

Notary Public

My Commission Expires : _____